

DETAILED ACTION

Applicant filed a response to the Non-Final Action of July 11, 2008 on October 14, 2008. Claims 1-41 are cancelled. Claims 43, 50-55 are amended.

Claims 42-67 are under consideration.

Withdrawn Objection/Rejections

Claim Objection

Applicant's arguments, see page 8 of Applicant's response, filed October 14, 2008, with respect to the objection of claims 42-47 for using the phrase, "endogenous" have been full considered and are persuasive. Applicant indicates that claim 43 has been amended to delete the recitation of "endogenous. The objection of claims 42-47 has been withdrawn.

Double Patenting

Applicant filed a terminal disclaimer for the provisional obviousness type double patenting rejection of Application No. 10/623,150 on December 19, 2008. The terminal disclaimer has been entered. The provisional rejection has been withdrawn.

35 USC § 103

Applicant's arguments, see page 8 of Applicant's response, filed October 14, 2008, with respect to the rejection of claims 50, 53, 62-67 as being obvious over Maher et al. (US Patent 6,686,193) have been fully considered and are persuasive. Applicant

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indicates that claims 50 and 53 have been amended to require that the genetic modifications of at least 2 CIC channels. The rejection of claims 50, 53, 62-67 has been withdrawn.

Claims 42-67 are allowable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joanne Hama, Ph.D. whose telephone number is 571-272-2911. The examiner can normally be reached Mondays, Tuesdays, Thursdays, and Fridays from 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Paras, can be reached on 571-272-4517. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547.

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/Joanne Hama/
Primary Examiner
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